



A29542-FWC-I-R 07037.0195

1652

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Logemann et al.  
Serial No. : 09/729,141 Examiner: To Be Assigned  
Filed : December 1, 2000 Group Art Unit: 1652  
For : TRANSGENIC PATHOGEN-RESISTANT ORGANISMS

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX SEQUENCE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

March 21, 2003

Date of Deposit

Carmella Stephens  
Attorney Name

41,328

PTO Registration No

Carmella L. Stephens  
Signature

March 21, 2003

Date of Signature

**BOX SEQUENCE**

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Sir:

This is in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated February 24, 2003 in the above-identified application.

Applicants submit herewith a substitute Sequence Listing in computer and paper form in accordance with 37 C.F.R. §1.821-1.825. The content of the paper and computer

readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. §1.821(c) and (e) are the same and do not include new matter. Also enclosed is a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Applicants respectfully request consideration of the following amendments.

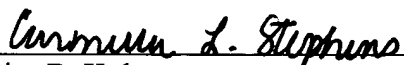
IN THE SPECIFICATION

Please **delete** the Sequence Listing and **insert** the substitute Sequence Listing submitted herewith.

CONCLUSION

Applicants believe that there is no fee required with the submission of this Response. Should any fees be required or overpayment made in connection with this response, the Commissioner is hereby authorized to charge Deposit Account Number 02-4377. Duplicates of this page are enclosed.

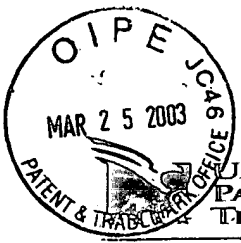
Respectfully submitted,  
BAKER BOTTS LLP

  
\_\_\_\_\_  
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UNITED STATES  
PATENT AND  
TRADEMARK OFFICECommissioner for Patents  
Washington, DC 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/729,141         | 12/01/2000          | Jurgen Logemann       | 29542 FWCI             |

Lisa B Kole Esq  
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CONFIRMATION NO. 2567

FORMALITIES LETTER



\*OC000000009552337\*

Date Mailed: 02/24/2003

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES***Filing Date Granted*

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: The Office Of Initial Patent Examination.

See the attachment.

**Applicant Must Provide as part of the response:**

- o An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- o An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- o A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

*A copy of this notice **MUST** be returned with the reply.*

N\*  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE